

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**OCTOBER 6, 2009**

**TUESDAY  
9:30 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 7 - 36)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 37)**
- 5. REGULAR AGENDA (Pages 38 - 39)**
- 6. BOARD APPOINTMENTS (Pages 40 - 43)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** grants in a total amount not to exceed \$30,000 for the Handicapped Accessibility and Awareness Program with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2009 through September 30, 2010:

**A)** Jeff Industries, Inc. funds to purchase a computer, printer and office supplies in an amount not to exceed \$3,000;

**B)** Palm Beach Chapter of the National Federation of the Blind to purchase a computer, computer accessories, a wireless microphone, a projector and office supplies in an amount not to exceed \$5,000;

**C)** Florida Outreach Center for the Blind, Inc. to purchase a computer, night vision goggles, instructional materials, office supplies and to cover a portion of cost for a holiday party for blind children and their families in an amount not to exceed \$5,000;

**D)** Deaf Service Center of Palm Beach County to purchase speech mapping equipment, twelve (12) behind the ear programmable hearing aids and the cost of printing the agency's newsletter in an amount not to exceed \$5,000;

**E)** Seagull Industries for the Disabled, Inc. to cover a portion of the costs needed to repair and refinish the floors of the vocational workshop in an amount not to exceed \$5,000; and

**F)** Archer Disability Foundation to cover a portion of the expenses for closed caption television awareness episodes, postage, brochure layout, printing, office supplies, mentors event signage, certificates and career day shirts in an amount not to exceed \$5,000.

**SUMMARY:** The funds for this grant are derived from funds collected from parking violations in designated parking spaces. County Ordinance No. 92-29 provides that revenue from these fines shall be used to improve accessibility and equal opportunity to qualified physically disabled persons in the County and to provide funds to conduct public awareness programs concerning physically disabled persons. Countywide (TKF)

2. **Staff recommends motion to approve:** a Grant Agreement with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$60,000 from October 1, 2009, to September 30, 2010. **SUMMARY:** This Grant Agreement with the BBIC will provide for operational expenses necessary to continue providing consulting services and financial assistance to existing and start-up small businesses in Palm Beach County. The scope of services outlined for FY 2010 include: obtaining five (5) business loan approvals from banking institutions in the amount of \$900,000, serving 270 clients, and creating/retaining 50 full-time jobs. Funding is included in the 2010 budget. The FY 2010 Grant Agreement of \$60,000 is reduced from last year's level of \$88,000. Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve: a Grant Agreement with the Riviera Beach Maritime Academy (RBMA) in the amount of \$35,000 from October 1, 2009, to September 30, 2010. **SUMMARY:** Palm Beach County's Marine Tech Prep Program is in its 11th year of operations. This Grant Agreement with RBMA, a public charter school, will provide assistance for the development of the Marine Academy Program. The scope of services outlined in the Agreement include: (A) Increase enrollment by 40% in the 2009-2010 school year-from 125 to 175 students; (B) Organize eight educational field trips to increase student to student positive interaction in practice with the marine workforce skills learned in the classrooms; (C) Organize four marine industry-related projects such as the design and operation of Remotely Operated Vehicles, and build an underwater robot vehicle to participate in the International Robotic Competition and other competitions; and (D) Assist senior students in their post-secondary career development through counseling for college admission or job/training opportunities within the Palm Beach County Marine Industries Career Network. Funding is included in the 2010 budget. The FY 2010 Grant Agreement of \$35,000 is reduced from last year's level of \$76,000. Countywide (DW)

4. Staff recommends motion to approve: five (5) Agreements funded under the Community Development Block Grant (CDBG) Economic Set-Aside Program FY 2009/2010 for the period of October 1, 2009, to September 30, 2010 as follows:

**A)** an Agreement with The Business & Economic Development & Revitalization (BEDR) Corporation of Palm Beach County, Inc. totaling \$79,200;

**B)** an Agreement with The Center for Technology, Enterprise and Development, Inc. (TED Center) totaling \$79,200;

**C)** an Agreement with The Enterprise Development Corporation (EDC) of South Florida, Inc. totaling \$79,200;

**D)** an Agreement with The Enterprise Development for Glades Entrepreneurs (EDGE) Center, Inc. totaling \$79,200; and

**E)** an Agreement with The Business Loan Fund (BLF) of the Palm Beaches, Inc. totaling \$180,000.

**SUMMARY:** With funds approved by the Board of County Commissioners for the CDBG Economic Set-Aside projects for FY 2009/2010 on October 6, 2009, the five (5) non-profit organizations will continue to provide assistance and support for the development and expansion of micro-enterprises defined as "commercial enterprises" that have five (5) or less employees, which includes one or more of whom owns the enterprise (24CFR 570.3). Together these organizations will create a minimum of 36 full-time equivalent (FTE) jobs meeting a U.S. Department of Housing and Urban Development (HUD) objective. Funding is included in the FY 2010 Budget. The FY 2010 grant agreements with BEDR, TED, EDC and EDGE totaling \$316,800 is reduced from last year's level of \$352,000. The FY 2010 Grant Agreement with the BLF, totaling \$180,000 is reduced from last year's level of \$200,000. **These are Federal Community Development Block Grant funds which do not require local matching funds.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to approve: Amendment No. 1 to the FY 2009/2010 Annual Action Plan, which will provide funding to five (5) non-profit organizations totaling \$496,800 under the Community Development Block Grant (CDBG) Economic Set-Aside Program FY 2009/2010. **SUMMARY:** The proposed amendment will allow for the funding of five (5) non-profit organizations to provide assistance and support services for the development of micro-enterprises {24 CFR570.201(o)} under the CDBG Set-Aside Program for Economic Development. The individual organizations include: The Business & Economic Development & Revitalization Corporation of Palm Beach County, Inc. (\$79,200), The Center for Technology, Enterprise and Development, Inc. (\$79,200), The Enterprise Development Corporation of South Florida, Inc. (\$79,200), The Enterprise Development for Glade Entrepreneurs Center, Inc. (\$79,200), and the Business Loan Fund of the Palm Beaches, Inc. (\$180,000). An amount of \$681,578, which represents the 10% set-aside from the FY 2009/2010 CDBG Program, is available for distribution under the CDBG Economic Development Set-Aside Program. **These are Federal CDBG funds which do not require local matching funds.** Countywide (DW)

6. Staff recommends motion to:

**A) approve** a Section 108 Loan Program Agreement between Palm Beach County (PBC) and Oxygen Development, LLC in the amount of \$3,000,000, contingent upon the approval of the U.S. Department of Housing & Urban Development (HUD);

**B) approve** the increase of the working capital loan terms from ten (10) years to 15 years; and

**C) authorize** the County Administrator to sign all loan documents associated with this item.

**SUMMARY:** On September 2, 2009, the Section 108 Loan Review Committee, made up of representatives from the Economic Development Office, Housing & Community Development, and the Office of Financial Management & Budget, recommended providing a \$3,000,000 HUD Section 108 loan for Oxygen Development, LLC (the "Company") through the Palm Beach County Section 108 Loan Program. The Company, a manufacturer of color cosmetics, skin care, hair care and over-the-counter drug-type products will invest an estimated \$26,110,000, which includes \$22,480,000 from the Recovery Zone Facility Bond (approved by the Board of County Commissioners on September 1, 2009; R2009-1443), \$630,000 from owner's equity and \$3,000,000 from the HUD Section 108 loan. The Company will use the Section 108 funds for working capital. The interest rate on the Section 108 loan will be the three (3) month London Inter Bank Offered Rate (LIBOR) at the time of closing (as of September 21, 2009, LIBOR was 0.289 %) plus one percent (1%), for a term of 15 years. The project includes the construction of a new manufacturing/global headquarter facility on a site located at 1525 South Congress Avenue in Palm Springs, which is owned by the Company's real estate affiliate Oxygen Holdings, LLC. The Company will create 400 new full-time equivalent jobs in Palm Beach County within five (5) years of which 51% will be offered to persons with low to moderate income. **These are Federal funds that require no local match. All documents are subject to such modifications required for consistency with the loan commitment, compliance with HUD's criteria, and to protect the County's interest.** District 2 (DW)

7. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County supporting the establishment of the YouthBuild USA Program at the Riviera Beach Maritime Academy. **SUMMARY:** At the request of Commissioner Karen Marcus, staff was directed to draft this Resolution. Countywide (DW)

3. **CONSENT AGENDA APPROVAL**

**B. CLERK & COMPTROLLER**

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	May 19, 2009

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during May 2009. Countywide

**C. ENGINEERING & PUBLIC WORKS**

1. **Staff recommends motion to adopt:** a Resolution authorizing execution of a Tri-Partite Agreement with the South Central Florida Express (SCFE) and the Florida Department of Transportation (FDOT) for the installation and maintenance of grade crossing traffic control devices at the SCFE crossing on Larrimore Road, Milepost 51.71. **SUMMARY:** Adoption of this Resolution will approve an agreement for installation and maintenance of grade crossing traffic control devices at the SCFE crossing on Larrimore Road, Milepost 51.71. The FDOT has set aside Federal Rail Title II Signal Safety Funding for safety improvements to this crossing. The SCFE will install or have installed these improvements and the FDOT will reimburse the SCFE for all construction costs. Palm Beach County holds the license agreement for this crossing and will continue to pay 50 percent of the annual signal maintenance fees which is currently \$1,573 for this Type IV, Class III crossing. District 6 (MRE)
2. **Staff recommends motion to approve:** the Fiscal Year 2009/2010 Pathway Program. **SUMMARY:** A list of the proposed projects in the Annual Pathway Program for the Fiscal Year 2009/2010 has been compiled in response to requests from the Palm Beach County School Board, Palm Beach County Sheriff's Office, members of the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include ten (10) new construction projects and 18 major maintenance projects. The total program cost is \$1,500,000 and is divided into the following categories:

School Related	\$869,000
Non School Related	\$60,500
Major Maintenance	\$500,000
ADA and Minor Maintenance	\$20,000
Cost and Feasibility Studies	\$22,500
Fast Track Schools	\$28,000
Total	\$1,500,000

Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. **Staff recommends motion to approve:** a Contract Amendment to the Annual Guardrail Contract (Contract) (R2007-1457), Project No. 2008051, dated September 11, 2007, with Southeast Attenuators, Inc. (Contractor). This Amendment will extend the expiration date and lower the unit prices on certain bid items. **SUMMARY:** Approval of the Second Amendment to the Annual Guardrail Contract will extend the expiration date of the existing Contract extension retroactively, from September 30, 2009, to September 11, 2010. There is no increase to the dollar value of the Contract and several items will show lower prices. The Contract consists of furnishing and installing guardrail, guardrail products, removing and disposing of "old" guardrail and/or resetting of existing guardrail. For the original 2007 bid, Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. The sole bidder, Southeast Attenuators, Inc., failed to achieve any SBE participation. This is the final contract extension allowed and we will put the contract out to bid in 2010. Countywide (MRE)
  
4. **Staff recommends motion to approve:** an exception to criteria in Article 13 (Impact Fees) of the Unified Land Development Code for road impact fee credit by establishing a roadway impact fee credit for fifty percent of the estimated \$19,630 cost (\$9,815) of constructing a restricted median opening at the intersection of Morrison Avenue and Military Trail for Palm Center Car Wash. **SUMMARY:** Palm Center Car Wash is requesting a roadway impact fee credit of \$19,630 for constructing a restricted median opening at the intersection of Morrison Avenue and Military Trail. The median modification will improve existing traffic conditions and future traffic conditions resulting from the increased traffic from the Palm Center Car Wash. Staff is instead recommending a fifty percent credit (\$9,815) for the cost of the improvement because it will affect both existing and project related traffic. The improvements are not mandatory to meet the requirements of Traffic Performance Standards. The Board of County Commissioners must make the required exception to criteria in Article 13 (Impact Fees) of the Unified Land Development Code for any amount of road impact fee credit to be granted. District 3 (LB)
  
5. **Staff recommends motion to approve:**
  - A) a Budget Transfer of \$707,865 in the Road Impact Fees – Zone 1 Fund from Reserves to the Central Boulevard and Indiantown Road Intersection for developer contributions received in FY 2008; and
  - B) Supplemental Agreement No. 4 to Project Number 2006501 under Agreement R2006-1863 in the amount of \$227,090.17 with HSQ Group, Inc. for professional services.**SUMMARY:** Approval of the Budget Transfer and Supplemental Agreement will provide the services necessary for the preparation of design plans and construction bid documents for the intersection of Central Boulevard and Indiantown Road. District 1 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to:

**A) adopt** a Resolution to approve a Local Agency Program Agreement (Agreement) with the State of Florida Department of Transportation (FDOT) in the amount of \$7,000,000 for milling and resurfacing Military Trail from Clint Moore Road to Lake Worth Road (Project); and

**B) approve** a Budget Amendment of \$7,000,000 in the Transportation Improvement Fund to recognize the Agreement with the FDOT for the Project.

**SUMMARY:** Approval of this Agreement is necessary to secure an American Recovery and Reinvestment Act grant of \$7,000,000 in construction funding to Palm Beach County for the Project. Districts 2, 3, 4 & 5 (MRE)

7. Staff recommends motion to:

**A) adopt** a Resolution to execute a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for FDOT funding for Palm Beach County's (County) installation of irrigation and landscape on State Road 7 from Palmetto Park Road to Glades Road; and

**B) approve** a Budget Amendment of \$200,000 in the Transportation Improvement Fund to recognize reimbursement from FDOT and appropriate it to State Road 7/Palmetto Park Road to Glades Road.

**SUMMARY:** FDOT agrees to provide the County up to \$200,000 as 100% reimbursement funding for the County's installation of irrigation and landscape in the medians of State Road 7 from Palmetto Park Road to Glades Road. This maximum reimbursement funding amount is in excess of the estimated cost to construct the project; therefore, the project can be built at no cost to the County. The JPA requires that all work be completed by the County and accepted by FDOT no later than December 31, 2011. No matching funds are required. District 5 (MRE)

8. Staff recommends motion to adopt: a Resolution vacating the plats of Okeechobee Fruit Lands Company's Subdivision of Section 3, Township 45 S, Range 36 E, Palm Beach County, Florida, less the north 160 feet thereof for the right-of-way of Bolles Canal (Levee L-21), recorded in Plat Book 1, Page 108, within the public records of Palm Beach County, Florida, and vacating Okeechobee Fruit Lands Company's Subdivision of Section 10, Township 45 S, Range 36 E, Palm Beach County, Florida, as recorded in Plat Book 1, Page 115, recorded in the public records of Palm Beach County, Florida, which includes the proposed roadways. **SUMMARY:** This petition site is located south of the Bolles Canal and west of U.S. Highway 27. The petitioner is requesting the vacation to eliminate roads and the internal lot lines in order to facilitate future development. District 6 (PK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution authorizing the Clerk & Comptroller to issue and release County warrants to pay the debts of the County prior to presentation of the warrant list to the Board; repealing Resolution R96-990; and providing an effective date. **SUMMARY:** Warrants for payments to vendors for goods and services provided to the County have been delayed awaiting prior Board approval of those warrants on a warrant list. The Clerk & Comptroller should be permitted to issue warrants for such payments that have been authorized and pre-audited. Board adoption of this Resolution will permit the Clerk to issue warrants to pay for goods and services provided to the County without prior Board approval after the Clerk determines that the expenditure is legal and within available budgeted funds. Any such early released warrants issued by the Clerk will be presented to the Board on the next Clerk's warrant list. Countywide (PFK)
  
2. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$68,115,000 Palm Beach County, Florida, Water & Sewer Revenue Bonds (FPL Reclaimed Water Project), Series 2009 (the "Bonds"), as authorized by Resolution R-2009-0800 adopted on May 9, 2009. **SUMMARY:** The closing occurred July 22, 2009. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
  
3. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$16,140,760 Palm Beach County, Florida, Capital Improvement Bond Anticipation Note (Four Points and other Public Building Projects), Series 2009 (the "Bonds"), as authorized by Resolution R-2009-0977 adopted on June 18, 2009. **SUMMARY:** The closing occurred June 18, 2009. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
  
4. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$22,568,947.50 Palm Beach County, Florida, Line of Credit (Wachovia Bank, N.A.), as authorized by Resolution R2009-0953 adopted on June 2, 2009. **SUMMARY:** The closing occurred June 4, 2009. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

5. Staff recommends motion to approve: an Engagement Letter for Accounting Services (the "Engagement Letter") to be performed for the Housing Finance Authority of Palm Beach County, Florida (the "Authority") by Goldstein, Zugman, Weinstein & Poole, LLC (the "Accountant"), which provides that the Accountant will perform certain accounting services, including, but not limited to, compilation of financial statements, annual statements of net assets and related statements of revenues, expenses and changes in net assets, and cash flows relating to the Authority's general fund, single family mortgage revenue bond issues and multifamily mortgage revenue bond issues, for the years ending September 30, 2010, 2011, and 2012. The Accountant was selected for the performance of these services pursuant to a Request for Proposals for Accounting Services issued by the Authority on May 11, 2009 (the "Accountant RFP"). The Engagement Letter also establishes the fee arrangement between the parties with respect to such services. The approval of the Engagement Letter is required by Ordinance 2002-22 (the "Ordinance"). **SUMMARY:** The Authority issued the Accountant RFP, pursuant to which the Accountant was ranked as the top proposer, and then negotiated the Engagement Letter with the Accountant for the performance of accounting services in connection with the Authority's general fund, single family mortgage revenues bond issues and multifamily mortgage revenue bond issues. Compensation to the Accountant under the Engagement Letter will be in excess of \$10,000. The Engagement Letter has been reviewed and approved by the Authority and its general counsel. Pursuant to the Ordinance "all contracts of the Authority for the purchase of goods and services in excess of \$10,000 shall be submitted to and approved, in each instance, by the Board of County Commissioners. . . ." Countywide (PFK)
  
6. Staff recommends motion to approve: an Engagement Letter for External Auditor Services (the "Engagement Letter") to be performed for the Housing Finance Authority of Palm Beach County, Florida (the "Authority") by Caler, Donten, Levine, Porter & Veil, P.A. (the "Auditor"), which provides that the Auditor will perform an audit of the Authority's basic financial statements for the years ending September 30, 2009, 2010 and 2011, and will audit each of the Authority's single family mortgage revenue bond issues and multifamily mortgage revenue bond issues outstanding during the years ended September 30, 2009, 2010 and 2011. The Auditor was selected for the performance of these services pursuant to a Request for Proposals for External Auditing Services issued by the Authority on May 11, 2009 (the "Auditor RFP"). The Engagement Letter also establishes the fee arrangement between the parties with respect to such services. The approval of the Engagement Letter is required by Ordinance 2002-22 (the "Ordinance"). **SUMMARY:** The Authority issued the Auditor RFP, pursuant to which the Auditor was ranked as the top proposer, and then negotiated the Engagement Letter with the Auditor for the performance of general auditing services in connection with the Authority's basic financial statements and bond issues. Compensation to the Auditor under the Engagement Letter will be in excess of \$10,000. The Engagement Letter has been reviewed and approved by the Authority and its general counsel. Pursuant to the Ordinance "all contracts of the Authority for the purchase of goods and services in excess of \$10,000 shall be submitted to and approved, in each instance, by the Board of County Commissioners. . . ." Countywide (PFK)
  
7. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$55,000 in the case of Eddie Jones v. Palm Beach County, et al., Case No. 50 2008 CA028730XXXMBAO. **SUMMARY:** The Plaintiff's vehicle was rear-ended by a Palm Tran bus at a stoplight in Belle Glade on June 5, 2006. The bus driver said that as the light changed, his foot slipped off of the brake causing the rear-end collision. Countywide (DRO)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

8. **Staff recommends motion to approve:** a Third Amended Agreement for legal services regarding underground injection control rules and permits with de la Parte & Gilbert, P.A. The Third Amended Agreement increases the cap on legal fees by \$5,000, for a total not-to-exceed amount of \$205,000. **SUMMARY:** The Third Amended Agreement allows the law firm of de la Parte & Gilbert, P.A., to complete legal services the firm has been providing since 2006, regarding administrative and judicial proceedings involving rule amendments promulgated by the United States Environmental Protection Agency and the Florida Department of Environmental Protection and associated permit proceedings relating to the State and Federal Underground Injection Control Program, and amends the contract provisions to increase the cap on legal fees by \$5,000. De la Parte & Gilbert, P.A., has negotiated a settlement agreement on the County's behalf with the state and federal agencies, and needs to monitor completion of settlement activities by those agencies. The Amendment will allow de la Parte & Gilbert, P.A. to be reimbursed for the completion of legal services. The Palm Beach County Water Utilities Department has approved the increase and will be responsible for payment of the fees. Countywide (ATP)

E. COMMUNITY SERVICES

1. **Staff recommends motion to:**
  - A) approve** Contract with Comprehensive AIDS, Inc. for Ryan White Part A HIV Emergency Relief Minority AIDS Initiative funds for the period of August 1, 2009, through July 31, 2010, totaling a not-to-exceed amount of \$546,510; and
  - B) receive and file** the Ryan White Part A HIV Emergency Relief grant award document from Human Services Health Resources and Services Administration for Minority Aids Initiative funds in the amount of \$566,510 for the period of August 1, 2009, through July 31, 2010.

**SUMMARY:** A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration was received on August 11, 2009, that conveys an award for the contract period August 1, 2009, through July 31, 2010. Total funds awarded are \$566,510. The grantee, Palm Beach County, is responsible for selecting and contracting with services providers. The HIV Care Council is charged with the sole responsibility of determining service priorities and the allocation of funding the service priorities. The grant award is for the provision of services related to HIV affected clients, such as medical case management as well as \$20,000 for grantee administrative costs and quality management. The agency listed was selected through the Request for Proposal process and has been recommended to receive funding. (Ryan White) Countywide (TKF)
2. **Staff recommends motion to approve:** Agreement with Oakwood Center of the Palm Beaches, Inc. for the period of July 1, 2009, through June 30, 2014, in an amount of \$431,520 for permanent housing beds for disabled, homeless individuals. **SUMMARY:** This Agreement with Oakwood Center of the Palm Beaches, Inc. is a collaborative with the Division of Human Services funded under a Housing and Urban Development (HUD) Shelter Plus Care (SPC) Program Grant. On July 22, 2009, the executed grant agreement was received from HUD authorizing July 1, 2009, as the start date for the SPC program. This five (5) year grant provides rental assistance for permanent housing beds for seven (7) homeless, disabled individuals. No local match is required by the County, resulting in no fiscal impact to the County, for this grant. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Amendment No. 002 to Standard Agreement No. IC008-9500 (R2008-1621; dated September 23, 2008) for the Community Care for the Elderly (CCE) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2008, through June 30, 2009, increasing the agreement amount by \$21,460.42 for a new total not-to-exceed amount of \$1,112,474.42. **SUMMARY:** This Amendment will increase the agreement amount by \$21,460.42 for services provided by the County. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides CCE services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
  
4. **Staff recommends motion to approve:** Amendment No. 002 to Standard Agreement No. IH008-9500 (R2008-1620; dated September 23, 2008) for the Home Care for the Elderly (HCE) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2008, through June 30, 2009, increasing the agreement amount by \$1,374.12 for a new total not-to-exceed amount of \$105,757.12. **SUMMARY:** This Amendment will increase HCE client services by \$2,119.19 and decrease HCE case management by \$745.07 for provisions of care in private homes as an alternative to nursing home or other institutional care. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides HCE services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
  
5. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Multilingual Psychotherapy Centers, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$16,000, for mental health services for Early Head Start children. **SUMMARY:** Multilingual Psychotherapy Centers, Inc. will provide mental health services to Head Start children and their families. Funding consists of \$12,800 (80%) in Federal funds and \$3,200 (20%) in County funds. The County's portion is included in the FY 2010 budget. (Head Start) Countywide (TKF)
  
6. **Staff recommends motion to approve:**
  - A) Modification to Contract No. 09EA-7K-10-60-01-023 (R2008-2355) Low Income Home Energy Assistance Program (LIHEAP) with the State of Florida Department of Community Affairs increasing the contract by \$388,892 for a new not-to-exceed amount of \$4,892,795, for utility assistance to low-income families; and
  - B) Budget Amendment of \$388,892 in the LIHEAP Fund to reconcile the grant with the budget, contingent upon the grant award.

**SUMMARY:** Palm Beach County received notification that additional LIHEAP funds are available under the current LIHEAP agreement, Contract No. 09EA-7K-10-60-01-023. The Modification incorporates an additional \$388,892 increase in the base allocation in the existing contract for a new grant total of \$4,892,795. The \$388,892 represents Palm Beach County Community Action's share of the increased Federal allocation. These additional funds will enable Palm Beach County Community Action to serve additional low-income households for the period ending March 31, 2010. No County funds are required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. **Staff recommends motion to approve:** Amendment No. 1 to the Agreement with the School Board of Palm Beach County (Delray Full Service Center) (R2008-1732), for the period of October 1, 2008, through September 30, 2009, for an increase of \$37,753 for a new total not-to-exceed amount of \$1,129,414, to recognize a Cost of Living Adjustment (COLA) award from the Department of Health and Human Services Administration for Children, Youth & Families. **SUMMARY:** Head Start/Early Head Start submitted an application to the Department of Health and Human Services and was awarded a COLA increase. Several amendments regarding the distribution of COLA funds went to the Board of County Commissioners and were approved on September 1, 2009. Delray Full Service Center's portion was mentioned in the September 1, 2009 Agenda Item. The School Board of Palm Beach County requires their Board to approve and sign before further action can be taken; therefore not allowing enough time to submit with the other amendments. These are permanent increases to their base funding. No additional County funding is being requested. (Head Start) Countywide (TKF)
  
8. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Marriage & Family Services, Inc., for the period October 1, 2009, through September 30, 2010, in an amount of \$20,000, for mental health services for Head Start children. **SUMMARY:** Marriage & Family Services, Inc. will provide mental health services to Head Start children. Funding consists of \$16,000 (80%) in Federal funds and \$4,000 (20%) in County funds. The County's portion is included in the FY 2010 budget. (Head Start) Countywide (TKF)
  
9. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Caregivers Services, Inc., d/b/a Friends Assisting Seniors and Families, for the period of October 1, 2009, through September 30, 2010, in an amount of \$52,000, for health services to Early Head Start children. **SUMMARY:** Caregivers Services, Inc. will provide ongoing well baby and well child health services in accordance with the Head Start Act. This Contract will enable Caregivers Services, Inc. to provide specialized licensed practical nurse services in the Early Head Start program for children (birth-36 months) and pregnant women who are in need of services to ensure healthy outcomes. Funding consists of \$41,600 (80%) in Federal funds and \$10,400 (20%) in County funds. (Head Start) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$2,075,000 to rehabilitate Runway 15/33, Taxiway "C" and Apron at Palm Beach County Park Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$2,075,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

- 2. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$650,000 to connect to County Water and Wastewater at North Palm Beach County General Aviation Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$650,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
  
- 3. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,300,000 for a Wetland Wildlife Hazard Mitigation Project at North Palm Beach County General Aviation Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,300,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

4. Staff recommends motion to approve:

**A)** the General Consulting Agreement with Ricondo & Associates, Inc. for a term of two (2) years, with two (2) - one (1) year renewal options in the amount of \$1,723,324 for the performance of professional planning and design services related to the approved Palm Beach County Airports' Capital Improvement Program as presented below:

○ Task I	Specific Projects for 2009/2010	\$ 1,232,624
○ Task II	Annual Services	\$ 140,700
○ Task III	Miscellaneous Services for 2009/2010	\$ 350,000

**B)** a Budget Transfer of \$1,723,324 in the Airports Improvement and Development Fund from Reserves to provide budget to fund the consulting contract.

**SUMMARY:** In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires professional planning and design engineering services. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), Ricondo & Associates, Inc. was competitively selected to provide these services. The first agreement of a potential multi-year contract in the amount of \$1,723,324 will provide the Department of Airports with the needed continuing professional services to implement the approved Capital Improvement Program. The services identified and negotiated are as follows: Task 1–Palm Beach International Airport (PBI) Passenger Facility Charge (PFC) Application, PBI Airfield Improvement Project Financial Analysis Update, PBI Construction Field Services–Taxiway L Extension, PBI Construction Field Services–Taxiway F Extension, PBI Solar Siting and Feasibility Study, Environmental Impact Statement (EIS) Planning Support, and North Palm Beach County General Aviation Airport Concurrency Support Services; Task II – Annual Airports Facilities Inspections & Reporting; and Task III– Miscellaneous Architectural, Planning, Engineering and Construction Services, Miscellaneous Financial Consulting and Capital Programming, Staff Extension and Miscellaneous Environmental Consulting. Certain tasks performed during the term of this contract will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (The LPA Group, Inc.). A Disadvantaged Business Enterprise (DBE) goal of 25% was set for this contract. The DBE participation for this contract is 27.3%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: Automated Retail Vending Concession Agreement with NewZoom, Inc., d/b/a ZoomSystems (ZoomSystems) for an initial term of three years and minimum annual guarantee of \$6,000 per retail vending machine location. **SUMMARY:** On March 23, 2009, the Department of Airports issued a Request for Submittals (RFS PB-09-05) for the installation, operation and maintenance of automated retail vending machines at the Palm Beach International Airport (PBIA). Staff is recommending the award of the Automated Retail Vending Concession Agreement to ZoomSystems as the only respondent. The initial term commences on October 1, 2009 and expires on September 30, 2012 with two (2) – one (1) year options. ZoomSystems will sell Best Buy consumer electronics and Rosetta Stone products from three retail vending machines proposed to be installed at PBIA. ZoomSystems will pay a concession fee of \$18,000 for three (3) machines or 6.5% of annual gross revenues on Best Buy consumer electronics and 10% of annual gross revenues on Rosetta Stone products, whichever is greater. Countywide (AH)

6. Staff recommends motion to approve:

**A)** Change Order No. 6 to the Contract with CTR Systems Parking, Inc. in the amount of \$85,012 and a time extension of 91 calendar days for the Parking Access and Revenue Control System (PARCS) Replacement Project at Palm Beach International Airport (PBIA); and

**B)** a Budget Transfer of \$85,012 in the Airports Improvement and Development Fund to establish budget for Change Order No. 6 with CTR Systems Parking, Inc. Included in this transfer is \$85,012 from Reserves.

**SUMMARY:** On February 5, 2008, the Board of County Commissioners (BCC) approved the contract with CTR Systems Parking, Inc. in the amount of \$2,370,495 and a contract time of 180 calendar days (R2008-0172). Change Orders 1-5 were approved for a net increase to the contract in the amount of \$508,799 and extended the contract time by 345 calendar days. Approval of this Change Order will increase the total contract price by \$85,012 and a time extension of 91 calendar days. The Florida Department of Transportation has provided grant funding not to exceed \$400,000 in the implementation of the SunPass portion of this contract which was approved by the BCC on September 25, 2007 (R2007-1631). The Small Business Enterprise (SBE) Goal for this project was established at 15%. The SBE participation for this Change Order is 24.63%. The total SBE contract participation including all change orders is 21.60%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve:

**A)** a Contract with Hi-Lite Markings, Inc. in the amount of \$298,354.80 for the Runway Designation Remarkings and Airfield Signage Project at Palm Beach International Airport (PBIA); and

**B)** a Budget Amendment of \$345,000 in the Airports Improvement and Development Fund to establish \$345,000 in funding for project expenditures, including contingency funding; to recognize 255,671 of Federal Aviation Administration (FAA) grant funding, and a transfer of \$89,329 from Airport Reserves.

**SUMMARY:** This project was advertised utilizing the County's competitive bid process. On August 6, 2009, four (4) bids were received for the Runway Designation Remarkings and Airfield Signage Project at PBIA. Of the four (4) bids, Hi-Lite Markings, Inc. has been identified as a responsible/responsive bidder in the amount of \$298,354.80. In addition to the construction contract, project expenditures also include permitting fees and contingency funding. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 15.00%. Hi-Lite Markings, Inc. DBE participation is 0%. Matching funds of \$85,224 (25%) are required from Airport Revenues. Countywide (JCM)

8. Staff recommends motion to receive and file: fourteen (14) original Agreements for the Department of Airports:

**A)** Hangar Lease Agreement with MBS Aviation, LLC, Unit 12, Building 11350, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on September 5, 2009;

**B)** Hangar Lease Agreement with Samaritan Air, Inc., Unit 2, Building 201, at Palm Beach County Glades Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on August 26, 2009 or date of issuance of Certificate of Occupancy for Building 201;

**C)** Executive Hangar Lease Agreement with Palm Beach Avionics, Inc., Unit 3, Building 11250, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing September 1, 2009;

**D)** Executive Hangar Lease Agreement with Palm Beach Avionics, Inc., Unit 4, Building 11250, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing September 1, 2009;

**E)** Agreement Covering Operation of Aircraft at Palm Beach International Airport with Allegiant Air, LLC, for one (1) year, automatically extended on a year-to-year basis, commencing October 1, 2008;

**F)** Agreement for Rental Car Lease and Concession at Palm Beach International Airport with DTG Operations, Inc. d/b/a Dollar Rent A Car, for two (2) years commencing October 1, 2009, terminating September 30, 2011;

**G)** Agreement for Rental Car Lease and Concession at Palm Beach International Airport with DTG Operations, Inc. d/b/a Thrifty Car Rental, for two (2) years commencing October 1, 2009, terminating September 30, 2011;

**H)** Palm Beach International Airport Non-Concessionaire Rental Car and Parking Lot Operator Ground Transportation Permit with Palm Beach Airport Parking, Inc. (d/b/a Park "N Save), commencing July 18, 2009, terminating September 30, 2009, automatically renewed on yearly basis (October 1<sup>st</sup> through September 30<sup>th</sup>);

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. MOTION/TITLE CONTINUED

I) Palm Beach International Airport Non-Concessionaire Rental Car and Parking Lot Operator Ground Transportation Permit with National Car Rentals of Palm Beach, Inc. d/b/a Datura Auto Rentals, commencing October 1, 2009, terminating September 30, 2010, automatically renewed on yearly basis (October 1<sup>st</sup> through September 30<sup>th</sup>);

J) Palm Beach International Airport Non-Concessionaire Rental Car and Parking Lot Operator Ground Transportation Permit with E-Z Rent A Car, Inc., commencing October 1, 2009, terminating September 30, 2010, automatically renewed on yearly basis (October 1<sup>st</sup> through September 30<sup>th</sup>);

K) Palm Beach County Sheriff's Office Trespassing Enforcement Affidavit for North County General Aviation Airport (F45) for two (2) years commencing August 10, 2009;

L) Palm Beach County Sheriff's Office Trespassing Enforcement Affidavit for Palm Beach County Glades Airport (PHK) for two (2) years commencing August 10, 2009;

M) Palm Beach County Sheriff's Office Trespassing Enforcement Affidavit for Palm Beach County Park (Lantana) Airport for two (2) years commencing August 10, 2009; and

N) Federal Aviation Administration Grant Agreement Number 3-12-0085-051-2009 for "Construct Taxiway D Improvements; Design Taxiway C4; Expand Apron A; Improve Terminal Access Lighting; Runway Renumbering; Rehabilitate Southside Taxilane" at Palm Beach International Airport.

**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R293-801, R2006-2086, R2008-1845, R2009-0974, R2009-1073, R2009-1163 and R2009-1267. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an Interlocal Agreement with the Town of South Palm Beach (Town) allowing direct access to the County's 800Mhz Radio System. **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the Town can directly access the County's 800MHz Radio System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The Agreement requires that the Town pay a one-time \$2,089/unit access or capacity charge as well as annual fees of \$211.42/unit towards the renewal and replacement fund and \$154/unit towards maintenance and operation of the system infrastructure. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Town will be a member of the Law Enforcement User Committee which reviews and recommends policies and practices for the operation of the system. The term of the Agreement is four (4) years with two (2) – four (4) year renewals. The Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six (6) months notice. (FDO Admin) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** JOC Work Order No. 09-081 with M.A.C. Construction, Inc., (R2007-0949) in the amount of \$309,214.10 to provide renovations to an IT Server Room on the fourth floor of the Judicial Center for the Clerk & Comptroller's office. **SUMMARY:** The work consists of installation of a new HVAC system including all associated plumbing and electrical, the addition of a raised floor including ramps and railings, relocation of the existing UPS units, new electrical distribution panels, new cable trays, revisions to the ceiling grid and lighting, and other associated work. The Small Business Enterprise (SBE) goals are 15%. The SBE participation in this Work Order is 63.72%. When the participation for this Work Order is added to M.A.C.'s total participation-to-date, the resulting values are 20.92%. The total construction duration is 240 days. All funding for this project is from the Clerk & Comptroller's budget. (FD&O Admin) Countywide/District 7 (JM)
  
3. **Staff recommends motion to approve:** Amendment No. 3 to Contract with DCOTA Contracting, Inc. (R2006-2218) to implement the third renewal of an annual residential contract. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract-Residential which was awarded to DCOTA Contracting, Inc. as one (1) of seven (7) approved contractors. The annual residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is 12 months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the residential contracts are 15%. DCOTA's participation for work orders issued to date is 61.61%. DCOTA Contracting, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
  
4. **Staff recommends motion to approve:** Amendment No. 3 to Contract with Andrea Construction, Inc. (R2006-2214) to implement the third renewal of an annual residential contract. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract-Residential which was awarded to Andrea Construction, Inc. as one (1) of seven (7) approved contractors. The annual residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is 12 months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the Residential contracts are 15%. Andrea's participation for work orders issued to date is 100%. Andrea Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 3 to Contract with Joe Schmidt Construction, Inc. (R2006-2217) to implement the third renewal of an annual residential contract. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract-Residential which was awarded to Joe Schmidt Construction, Inc. as one (1) of seven (7) approved contractors. The annual residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is 12 months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the residential contracts are 15%. Joe Schmidt's participation for work orders issued to date is 100%. Joe Schmidt Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
  
6. Staff recommends motion to approve: Amendment No. 3 to Contract with All-Site Construction, Inc. (R2006-2215) to implement the third renewal of an annual residential contract. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract-Residential which was awarded to All-Site Construction, Inc. as one (1) of seven (7) approved contractors. The annual residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is 12 months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original Contract remain in effect. This is the third of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the residential contracts are 15%. All-Site's participation for work orders issued to date is 100%. All-Site Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
  
7. Staff recommends motion to approve: JOC Work Order No. 09-162 with M.A.C. Construction, Inc., (R2007-0949) in the amount of \$399,722.38 to provide for the renewal/replacement of three (3) existing hydraulic elevators at the Governmental Center. **SUMMARY:** The work consists of the renewal/replacement of the interior and exterior cars; replacement of the hydraulic system, car rollers, car operator panels, and controls of three (3) existing hydraulic elevators – one (1) freight elevator at the loading dock in the Governmental Center; and two (2) passenger elevators in the parking garage. This work is required to pass the annual State mandated elevator inspection and certification. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Work Order is 0%. When the participation for this Work Order is added to M.A.C.'s total participation-to-date, the resulting values are 16.65%. The total construction duration is 180 days. All funding for this project is in the Five Year Capital Improvement Fund from ad valorem funds. (FD&O Admin) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve:

A) First Restatement of Lease Agreement with South Florida Fair and Palm Beach County Expositions, Inc., (Fair) (R93-810D); and

B) Restated Agreement with Palm Beach Community College (PBCC) (R93-811D).

**SUMMARY:** In 1993, the County, on behalf of the Palm Beach County Sheriff's Office (PBSO), entered into a 25 year lease with the Fair for construction and operation of a law enforcement driver training facility on approximately eight (8) acres of land at the Fairgrounds on Southern Boulevard. PBCC, together with the Criminal Justice Standards and Training Commission, entered into a separate Agreement with the County at that time to provide partial funding towards construction of the driver training facility at the Fairgrounds. The driver training facility was to be used by PBSO and other law enforcement agencies including PBCC. The County recently relocated PBSO's driver training curriculum to a new law enforcement driver training facility on County-owned property. The Fair is willing to continue to lease the driver training facility at the Fairgrounds to the County for sole use by PBCC. The First Restatement of the Lease Agreement with the Fair provides for sole use of the driver training facility by PBCC through December 21, 2010. The Restated Agreement with PBCC provides for PBCC to assume all County obligations pursuant to the Fair Lease but for three specifically enumerated in the PBCC Restated Agreement: 1) County shall be responsible for scheduling the use of the driving range with the Fair after PBCC informs County of its preferred dates; 2) County shall be responsible for the transfer of ownership of the improvements; and 3) County shall pay the utility fee to the Fair, but shall invoice PBCC for reimbursement. PBCC shall assume all of County's maintenance responsibilities with regard to the classroom and the skid pad. The term of the PBCC Restated Agreement is also December 21, 2010. (FDO Admin) District 6 (HJF)

9. Staff recommends motion to approve: Amendment Number One to Lease Agreement (R94-1093D) with Prince of Belle Glade Gardens, LLC, for the County's continued use of a 5,248 sf building and surrounding land for the Glades Glen Head Start day care facility for \$43,907.18/yr. **SUMMARY:** Since 1994, the Community Services' Head Start Division has operated its Glades Glen day care facility, which consists of a 5,248 sf building and a fenced playground area, within the Palm Glade Apartments development in Belle Glade. Since the Board's approval of the initial Lease Agreement, ownership of the Palm Glade Apartments has transferred several times to the current owner, Prince of Belle Glade Gardens, LLC (Prince of Belle Glade). The current term of the Lease Agreement expires on October 31, 2009. This First Amendment: i) extends the term of the Lease from November 1, 2009, to October 31, 2014; ii) provides for three (3) additional extension options, each for a period of one (1) year; iii) increases the annual rent by five percent (5%) to \$43,907.18 (\$8.37/sf), with annual three percent (3%) increases; iv) updates the Lease to include standard provisions for Criminal History Records Check, Non-Discrimination, and Disclosure of Beneficial Interests; and v) updates the Insurance and Notice provisions. The County will continue to pay for separately metered utilities and the security alarm system monitoring fees estimated at \$1,500/yr, and 25% of the costs to repair and maintain the HVAC, security alarm, fire sprinkler and plumbing system. The County has the right to terminate the Lease Agreement at any time upon ninety (90) days written notice. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to adopt:** a Resolution approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2010 Budget in the amount of \$12,726,068. **SUMMARY:** The Budget is composed of four (4) components. The first component, the Redevelopment Trust Fund, in the amount of \$2,286,250, consists of the CRA's Annual Tax Increment Financing (TIF) and balance brought forward from previous years. The second component, the Construction Fund, in the amount of \$9,899,022, consists of transfers from the operating fund, and balances of grants awarded to the CRA by County, State and Federal governments for construction activities. The third component is the Sinking Fund, in the amount of \$269,046, which consists of one (1) annual payment from TIF revenues to repay the revenue bond reissued in 1999 to retrofit the physical infrastructure in the Westgate area. The last component is the Reserve Fund, in the amount of \$271,750, which consists of a one (1) year security payment (principal and interest) held in escrow for the March 1, 1999 Redevelopment Revenue Refunding Bonds for \$3,380,000. District 2 (TKF)
  
2. **Staff recommends motion to receive and file:** a Grant Agreement (No. B-08-UN-12-0013) with the U.S. Department of Housing and Urban Development (HUD) for the Neighborhood Stabilization Program (NSP) providing \$27,700,340 for the period of March 4, 2009, to March 3, 2013. **SUMMARY:** Palm Beach County was notified in October 2008 of eligibility to receive \$27,700,340 under the Neighborhood Stabilization Program. On November 18, 2008, the Board of County Commissioners (BCC) approved proposed NSP activities to address the problem of abandoned and foreclosed properties. The Department of Housing and Community Development subsequently submitted a funding application which was approved by HUD on January 8, 2009. BCC Resolution (R2008-2154) granted the authority for the County Administrator to sign all documents related to the application for and implementation of the NSP. On March 4, 2009, HUD executed the NSP Agreement, and on March 9, 2009, the County Administrator counter-executed the Agreement. Countywide (TKF)
  
3. **Staff recommends motion to receive and file:** a Grant Agreement with the U. S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant - Recovery (CDBG-R) Program (No. B-09-UY-12-0004), providing \$1,846,758 for the period of June 4, 2009, to September 30, 2012. **SUMMARY:** Palm Beach County was notified in March 2009 of eligibility to receive \$1,846,758 under the CDBG-R Program. On June 2, 2009, the Board of County Commissioners (BCC) approved the 11<sup>th</sup> Amendment to the FY 2008-2009 Action Plan constituting the County's CDBG-R application to HUD. Also on June 2, 2009, the BCC approved Resolution No. R2009-0901 granting the authority for the County Administrator to sign all documents related to application for and implementation of the CDBG-R Program. On July 21, 2009, HUD executed the CDBG-R Agreement, and on July 27, 2009, the County Administrator counter-executed the Agreement which provides \$1,846,758 in grant funding for activities assisting in the economic revitalization and growth of communities in Palm Beach County. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. Staff recommends motion to receive and file: the Grant Agreement for the Homeless Prevention and Rapid Re-Housing Program (No. S09-UY-12-0016) with the U. S. Department of Housing and Urban Development (HUD), for the period of July 14, 2009, to July 13, 2012, to provide a total of \$2,823,871 under the Homeless Prevention and Rapid Re-Housing Program (HPRP). **SUMMARY:** Palm Beach County (PBC) was allocated \$2,823,871 under the HPRP which was authorized by Title XII American Recovery and Reinvestment Act of 2009. The funds will be utilized to provide homeless prevention assistance to households who would otherwise become homeless and to rapid re-house persons who are homeless as defined by Section 103 of the McKinney-Vento Homeless Assistance Act. The Board of County Commissioners (R2007-0799) granted the authority for the County Administrator to sign all documents related to application for and implementation of the HPRP program. On July 14, 2009, HUD executed the Agreement with the County and on July 27, 2009, the County Administrator counter-executed the Agreement which provided HPRP grant funding to provide homeless assistance to Palm Beach County residents. Countywide (TKF)
  
5. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2008-1484) with the City of Riviera Beach to extend the expiration date from August 15, 2009, to February 15, 2010. **SUMMARY:** This Amendment provides an extension of six (6) months to the term of the existing Agreement for the implementation of a housing rehabilitation program as funded through the 2005 Disaster Recovery Initiative (DRI) Program. The Amendment also increases the amount of funding for housing rehabilitation allowed per homeowner from \$22,000 to \$45,000. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)
  
6. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2007-1326) with In The Pines, Inc., to extend the expiration date from August 15, 2009, to September 30, 2009. **SUMMARY:** The Agreement provides In The Pines, Inc., \$3,300,000, in 2005 Disaster Recovery Initiative Program funds for the construction of 20 rental townhouses at 12955 Hagen Ranch Road, in the City of Delray Beach. In The Pines, Inc., has requested a time extension to allow for the demolition of the dilapidated units remaining on the property, completion of the site work, and processing of project closeout documents. **These are Federal Community Development Block Grant Funds that require no local match.** District 5 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

7. Staff recommends motion to adopt: a Resolution to authorize the Department of Housing and Community Development (HCD) to prepare and submit a funding proposal to the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Initiative – 2008 Supplemental Appropriation (DRI4); authorize the County Administrator or his designee to execute a DRI4 Funding Proposal, Grant Agreement with DCA, and other documents related to the DRI4 Program; and authorize the County Administrator or his designee to sign Interlocal Agreements, Subgrant Agreements, and Amendments thereto, with organizations selected to receive DRI4 funding. **SUMMARY:** In September 2009, DCA announced that Palm Beach County geographic area is eligible to receive up to \$6,533,405 in Community Development Block Grant Disaster Recovery Funding that was made available to the State by the U.S. Department of Housing and Urban Development. The County has been designated by the State as the local administering entity. Eligible activities are limited to repairs and recovery from damages caused by Tropical Storm Fay, including: housing assistance, infrastructure repair and improvements, assistance for commercial areas, and program administration. On September 18, 2009, HCD sent correspondence notifying all local municipalities of the DRI4 Program and seeking input on unmet needs. On September 20, 2009, a public notice was published advising the general public of the same. Subsequent to the BCC approval of this item, HCD will publish a Notice of Funding Availability to solicit project proposals from eligible local entities. The County must consider the needs of all municipalities within its area, and must provide DCA with documentation which evidences that all parties were allowed an opportunity to discuss unmet needs. The County's application for funding is due to DCA by December 15, 2009. Given the short period for submission, execution of documents by the County Administrator will expedite the process and enhance the chances of meeting DCA's deadline. **These are Federal CDBG funds which require no local match.** Countywide (TKF)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: one (1) Agreement for Emergency Generator purchase, operation and maintenance with Villaggio at Villages of Windsor Homeowners Association, Inc. **SUMMARY:** On March 14, 2006, the Board of County Commissioners delegated the authority to execute Emergency Generator Purchase, Operation and Maintenance Agreements (Agreements) to the County Administrator or his designee. The County Administrator has delegated this approval to the Palm Beach County Water Utilities Department (WUD) Director. These agreements provide property owners with the ability to fund the purchase of emergency generators for lift stations located within their community. WUD will assign the community its generator(s), locate the generator(s) on-site during hurricane season, and operate and maintain the generator(s) during emergencies. By executing such agreements, WUD is able to expedite its goal of providing a higher level of emergency response service throughout its service area. Power outages that occur during hurricanes and other emergencies require WUD to operate a system of emergency generators at wastewater pump stations to prevent wastewater from backing up into streets, swales, and residents' homes. Due to the great number of lift stations and limited staffing resources, the Department is not able to place an emergency generator at every lift station. These agreements will increase the number of generators available to the Department during emergencies. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to receive and file:** three (3) original documents for the Department of Environmental Resources Management:

**A)** Task Assignment No. 9 from the Florida Department of Environmental Protection for petroleum contamination site cleanup services for six (6) months on 171 petroleum contaminated sites;

**B)** Florida Fish & Wildlife, Aquatic Vegetation Control Services Task Assignment Number AP8; and

**C)** Construction Purchase Order for Limestone Creek Phase I Weir Repair Project No. 2009ERM05.

**SUMMARY:** This is a Receive and File item for the Clerk's Office to note and receive delegated authority items according to County Policy and Procedure PPM No. CW-O-051. Countywide (SF)

2. **Staff recommends motion to approve:** Task Change Order No. 0410-07A to a continuing Contract (R2008-0410) with Taylor Engineering, Inc. (Taylor) for an amount not to exceed \$283,649 for completion of the United States Army Corps of Engineers (USACE) required Reevaluation Report, Section 934 (Report) for the Jupiter/Carlin Shore Protection Project (Project). **SUMMARY:** The Board of County Commissioners approved the Contract with Taylor on March 11, 2008 (R2008-0410). Eleven (11) task orders totaling \$1,669,177.19 have been issued under the Contract. Task Change Order No. 0410-07A authorizes Taylor to incorporate the USACE's required economic model, Beach-fx, within the Report. There is 5.1% SBE subconsultant participation on this Task Change Order. Taylor committed to an overall 15% Small Business and Minority Business (SBE-MBE) participation in the Contract. Taylor has achieved 15% cumulative SBE-MBE participation on the Contract including this Task Change Order. Funding for the Change Order is from a combination of Tourist Development Taxes and interest in the Beach Improvement Fund. The work is also eligible for reimbursement from the USACE and Florida Department of Environmental Protection (FDEP) as funding becomes available to them. District 1 (JM)

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with the City of Belle Glade for the period October 6, 2009, through January 31, 2010, in an amount not-to-exceed \$10,000 for the Belle Glade Summer Fest Festival. **SUMMARY:** This funding is to offset the cost of the Belle Glade Summer Fest Festival held in the months of June, July, and August of 2009. The festival attracted approximately 4,000 participants. The Agreement allows for reimbursement of eligible project costs incurred subsequent to June 1, 2009. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** First Amendment to Agreement (R2009-1190) with Adolph and Ruth Levis Jewish Community Center, Inc. for Camp Kavod to increase funding from \$20,000 to \$40,000; to extend the project completion date from September 30, 2009, to September 30, 2010 and the reimbursement submission date from December 30, 2009, to December 30, 2010; and to provide a revised Exhibit A. **SUMMARY:** This Amendment increases the amount of funding for Camp Kavod by \$20,000 for a total project amount not-to-exceed \$40,000 and extends project completion and reimbursement submission dates. The Amendment also includes a revised Exhibit A to expand the project scope and timeframes. All other terms of the Agreement remain the same. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)
  
3. **Staff recommends motion to execute and record:** a Notice of Limitation of Use/Site Dedication. **SUMMARY:** On April 10, 2007, the Board adopted a Resolution (R2007-0555) authorizing the Director of Parks and Recreation, as Project Manager, to apply for a \$500,000 Florida Fish and Wildlife Conservation Commission (FWWCC) Florida Boating Improvement Program (FBIP) grant for improvements associated with the development of Jim Barry Light Harbor Park. The project is complete and the grant contract requires a Notice of Limitation of Use/Site Dedication be executed and recorded in public records, dedicating the site for a period of 20 years for the use and benefit of the public. District 7 (AH)
  
4. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the months of August and September:
  - A) Teresa Krellner, Basketball Official, West Boynton Park & Recreation Center;
  - B) Teresa Krellner, Basketball Official, West Boynton Park & Recreation Center;
  - C) Palm Beach County Officials Association, Inc., Flag Football Referee, Westgate Park & Recreation Center;
  - D) George Tillman, Flag Football Referee, Westgate Park & Recreation Center;
  - E) Michael Alford, Flag Football Referee, Westgate Park & Recreation Center;
  - F) Caroline Andre, Cheerleading Coach, Westgate Park & Recreation Center;
  - G) Modern Bujutsu Karate Florida, Inc., Martial Arts, West Boynton Park & Recreation Center; and
  - H) Shelly Janssen, Dance Instructor, West Boynton Park & Recreation Center; and
  - I) Caroline Andre, Cheerleading Coach, Westgate Park & Recreation Center.**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 2 & 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve: First Amendment to Agreement (R2009-1298) with the City of Pahokee for City Recreation Complex Improvements to increase funding from \$30,100 to \$36,100; to extend the project completion date from September 30, 2009, to December 30, 2009; and to provide a revised Exhibit A and cost estimate. **SUMMARY:** This Amendment increases the amount of funding for City Recreation Complex Improvements by \$6,000 for a total project amount not-to-exceed \$36,100 and extends the project completion date from September 30, 2009, to December 30, 2009. The Amendment also allows for the expansion of project elements to include air conditioning of the Recreation Center's gymnasium, includes a revised Exhibit A, and provides for an increase in the project cost estimate. All other terms of the Agreement remain the same. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
  
6. Staff recommends motion to receive and file: three (3) fully-executed original Agreements for Recreation Assistance Program (RAP) funding as follows:
  - A) Agreement with Palm Beach Community College for the period September 3, 2009, through December 30, 2009, in an amount not-to-exceed \$5,000 for the 2009 Project Upward Bound trip;
  
  - B) Agreement with The Sean Green Performing and Fine Arts Academy, Inc. for the period August 26, 2009, through March 31, 2010, in an amount not-to-exceed \$8,000 for dance programs; and
  
  - C) Agreement with Knights of Pythagoras Networking, Inc. for the period September 3, 2009, through October 31, 2009, in an amount not-to-exceed \$2,500 for after school programs and events.

**SUMMARY:** Delegation of authority for execution of these standard Recreation Assistance Program (RAP) Agreements was approved by the Board on May 19, 2009 (5F-1). Funding is from RAP District 7 Funds. District 7 (AH)
  
7. Staff recommends motion to approve: Budget Transfer of \$30,000 within the Park Improvement Fund from the Florida Boating Improvement Program reserve to Phil Foster Boat Ramp Improvements. **SUMMARY:** This Budget Transfer will provide the funding necessary to provide maintenance/improvements to two (2) boat ramp approaches at Phil Foster Park. Funding is from the Park Improvement Fund Florida Boating Improvement Program reserve. District 1 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:
  - A) **receive and file** the Department of Justice Office of Justice Programs Bureau of Justice Assistance FY 2009 Justice Assistance Grant for \$303,005 for the South County Community Justice Service Center for the period of October 1, 2008, to September 30, 2012; and
  
  - B) **approve** a Budget Amendment of \$208,865 in the LLEBG 08-12 JAG Grant Fund to establish funds for this grant project.

**SUMMARY:** Palm Beach County has received a direct award of \$303,005 for the following proposal: the Criminal Justice Commission (CJC) Youth Violence Prevention Project for \$272,705. The proposal above equals 90% of the eligible award amount. The remaining 10% of the award amount (\$30,300) will be used by the CJC for costs associated with administering JAG funds. There is no requirement for match with the JAG funds. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

**A) receive and file** the Department of Justice Office of Justice Programs Bureau of Justice Assistance FY 2009 Recovery Act Justice Assistance Grant for \$1,246,822 for various criminal justice projects for the period of March 1, 2009, to February 28, 2013;

**B) approve** a Budget Amendment of \$1,246,822 in the LLEBG 09-13 ARRA JAG Grant Fund to establish funds for this grant project; and

**C) approve** a Budget Amendment of \$209,694 in the General Fund to establish grant awards for the Pretrial and Drug Court Programs under the Division of Justice Services.

**SUMMARY:** Palm Beach County has received a direct award of \$ \$1,246,822 for the following nine (9) proposals: 1) the State Attorney's Office for the Community-Based Anti-Crime Unit (COMBAT), 2) the Public Defender's Office for the Ex-Offender Re-Entry Program, 3) the Fifteenth Judicial Circuit, Court Administration for a Court Analyst, 4) the Fifteenth Judicial Circuit, Court Administration for a County Court Criminal Case Manager, 5) the Fifteenth Judicial Circuit, Court Administration for a Juvenile Court Case Advisor, 6) Palm Beach County Public Safety Department for Adult Pre-Trial Drug Court, 7) the Public Defender's Office for a Countywide Re-Entry Coordinator, 8) the Palm Beach County Justice Services Division for a Court Program Specialist position and Pre-Trial Services Program expansion and 9) the Palm Beach County Sheriff's Office for the Strategically Targeting Online Predators (STOP) Program. The one (1) grant-funded County position in the proposals above will be eliminated at the expiration of the grant period. There is no requirement for match with the JAG funds. Countywide (DW)

T. HEALTH DEPARTMENT

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, authorizing the use of \$31,129 from the Pollution Recovery Trust Fund (PRTF) to purchase a low level mercury vapor analyzer;

**B) approve** a Budget Transfer of \$31,129 from reserves in the Pollution Recovery Trust Fund to provide funding for the purchase of the mercury vapor analyzer; and

**C) approve** a Budget Amendment of \$31,129 in the Fire Rescue MSTU Fund to recognize the transfer.

**SUMMARY:** This Resolution will authorize the transfer of \$31,129 from the PRTF to the Fire Rescue Department to be used to purchase a low level mercury vapor analyzer that will be used by the County's hazardous materials response teams in responding to mercury spills. The Palm Beach County Health Department supports the use of PRTF for this purpose as it will enable emergency response teams to accurately assess the extent of contamination as a result of mercury spills and make recommendations as to whether an area is safe for occupancy. Countywide (SF)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT (Cont'd)

2. Staff recommends motion to approve:

**A)** a Contract with the Department of Health (DOH) in the amount of \$2,097,459 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2009, through September 30, 2010; and

**B)** an Addendum to the Contract to clarify:

- 1) Paragraph 6.a. – as State employees/personnel, CHD employees are not “officers, agents, or employees of the County”;
- 2) Paragraph 7.c. – The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.;
- 3) Paragraph 7.d. – The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and
- 4) Paragraph 7.e. – As a State agency, the CHD agrees to be responsible for its own, its officers’, employees’, or agents’ negligent acts, or omissions, or tortuous acts, which result in claims or suits against the parties, and agrees to be liable for any damages proximately caused by said acts or omissions.

**SUMMARY:** This Contract sets forth the funding responsibilities of the DOH and the County for the operation of the Palm Beach County Health Department. The State and County share in the funding of the \$8,757,416 environmental health budget. The State and County share in the funding of the \$8,757,416 environmental health budget. The State’s share is \$4,377,206 (50.0%), primarily from State general revenue and fees. Funding from the County’s FY 2010 budget is \$2,097,459 (24.0%) that includes Childcare Enforcement & Control Funding of \$125,890. The remaining local share (26.0%) is comprised of County Authorized Fees of \$936,625 (10.7%), Federal Funds of \$297,126 (3.4%), Department of Environmental Protection (DEP) Funds of \$109,000 (1.2%), and the Air Pollution Tag Fees of \$940,000 (10.7%). County funding is used primarily for salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of child care and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control Funding provides for a full-time Attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2010 budget. No additional funds are needed. County staff requested certain changes to the State’s standard contract in order to clarify the insurance and liability provisions. The State preferred including these in an Addendum instead of revising the standard contract. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** an executed Amendment with the Florida Council Against Sexual Violence (FCASV) increasing the grant contract by \$68,892 to \$189,804 for the period of July 1, 2009, through June 30, 2010 to provide sexual battery recovery services. **SUMMARY:** This is the Third Amendment of the grant contract with FCASV. This Amendment effectively provides an additional \$68,892 for the period of July 1, 2009, through June 30, 2010. The FCASV grant funds a Rape Crisis Counselor position which provides sexual battery recovery services to victims. Funding is included in the FY 2010 budget. Resolution R2006-0096 authorizes the County Administrator or his designee to execute certain FCASV grant agreements on behalf of the County. No County match is required. Countywide (GB)
  
2. **Staff recommends motion to:**
  - A) receive and file** an executed Agreement with the State of Florida, Division of Emergency Management to receive grant funding of \$10,000 from September 1, 2008, through May 31, 2010 to enhance the County's Community Emergency Response Team (CERT) program; and
  
  - B) approve** a Budget Amendment of \$10,000 in the Emergency Management Grant Fund to establish the grant budget.

**SUMMARY:** The Florida Division of Emergency Management awarded Palm Beach County Division of Emergency Management a grant of \$10,000 under the FY 2008 State Homeland Security Grant Program's CERT initiative. The grant period began on September 2008, but due to the vacancy of the Director position at the State Division of Emergency Management, the executed contract was received only recently. The grant will be used to purchase supplies and equipment and provide training for the County's CERT program. Resolution 2006-0401 authorizes the County Administrator or his designee, to execute these agreements on behalf of the Board. No County match is required. Countywide (GB)
  
3. **Staff recommends motion to receive and file:** an executed Interlocal Agreement with the City of Greenacres to provide grant funding of \$75,259 from August 3, 2009, through May 31, 2011 for the purchase and installation of a security camera system, security access system, and a 200kw generator as approved by the Fort Lauderdale Urban Area Security Initiative (UASI). **SUMMARY** The County was awarded \$451,337 a U.S. Department of Homeland Security 2008 Grant through the Fort Lauderdale UASI. Three (3) projects totaling \$75,279 were awarded to the City of Greenacres. This Interlocal Agreement provides the mechanism to provide the grant to the City of Greenacres. Resolution R2006-2669 approved by the Board of County Commissioners on December 5, 2006 authorized the County Administrator or his designee to execute standard UASI sub-grant agreements with various governmental and private agencies on behalf of the Board of County Commissioners. No County match is required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

**A) receive and file** an executed Agreement with the State of Florida, Division of Emergency Management to receive grant funding of \$73,000 from August 10, 2009, through May 31, 2010 to enhance emergency planning and coordination; and

**B) approve** a Budget Amendment of \$73,000 in the Emergency Management Grant Fund to establish the grant budget.

**SUMMARY:** The Florida Division of Emergency Management awarded the Palm Beach County Division of Emergency Management a federally funded grant of \$73,000 under the FY 2008 State Homeland Security Grant Program to help sustain local emergency planning, training, and related exercise resources. Grant funds will be used to update the County Emergency Management Plan and Resource Management Plan, and provide position specific Incident Command System training. Resolution R2006-0401 authorizes the County Administrator or his designee, to execute these agreements on behalf of the Board. No County match is required. Countywide GB)

5. Staff recommends motion to:

**A) approve** the Agreement with the City of Miramar to receive \$539,600 from Fort Lauderdale Urban Area Security Initiative (UASI) grant funding through May 31, 2011 to implement WEBEOC, the web-based regional emergency collaboration system that will be used by municipalities throughout Southeast Florida; and

**B) approve** a Budget Amendment of \$539,600 in the Emergency Management Grant Fund to establish grant budget.

**SUMMARY:** The County was awarded \$539,600 from the US Department of Homeland Security 2008 Grant through the City of Miramar. The grant funds will be used to implement WEBEOC, a web-based emergency collaboration system. WEBEOC was adopted as the standard emergency collaboration system and will be used by the municipalities in Southeast Florida region. The County's Emergency Management Division will spearhead this effort on behalf of the Fort Lauderdale UASI. No County match is required. Countywide (GB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: the purchase of airport liability insurance, for the period October 10, 2009, through October 10, 2010 purchased through the County's contracted broker, Arthur J. Gallagher & Co. for a total cost of \$180,397. **SUMMARY:** The estimated total cost of \$180,397 for airport liability insurance represents an 8.35% decrease over the expiring premium of \$196,837. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: Amendment No. 1 to an Agreement with the Florida Department of Highway Safety and Motor Vehicles (R2007-2050) modifying the testing and training requirements when Palm Tran acts as a Third Party Administrator in conducting driver license examinations on behalf of the Department. **SUMMARY:** Florida Department of Highway Safety and Motor Vehicles authorizes Third Party Administrators to act on their behalf for Florida motor vehicle license testing. Palm Tran has been acting as a Third Party Administrator for the Department since 2003. This amendment prohibits conducting testing on the same day as training is being provided on that portion of the test. Countywide (DR)
  
2. Staff recommends motion to approve: Two (2) Year Agreement with the School District of Palm Beach County (School Board) to provide annual and semester bus passes available to certain students as a means of transportation services for the 2009 - 2010 school year at the annual pass rate of \$360 or \$180 per pass for the second semester. For the 2010-2011 school year, the annual pass rate will be \$370 or \$185 for the second semester. **SUMMARY:** The School Board has contracted for annual bus passes as a means of transportation for students since August 1998. Palm Tran historically has provided approximately 650 passes annually. The Agreement rates include annual increases of 3%. Payments for annual school passes are in lieu of School Board's students paying individual fares into the fare boxes on Palm Tran routes. The Amendment will establish pricing for school bus passes through the end of school year 2011. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to receive and file: Memorandum of Agreement amending the FY 2006 Urban Area Security Initiative Grant Program to extend the ending grant period from June 30, 2009, through December 31, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$1,684,487 on December 19, 2006; the original period for this grant was October 1, 2006, through January 31, 2008 (3BB-2). On September 9, 2008, the BCC received and filed an agenda item extending the grant period from January 31, 2008, through June 30, 2009 (R2008-1556). This agenda item will extend the grant period from June 30, 2009, through December 31, 2009. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. The total funds provided to Palm Beach County agencies by the UASI (\$2,383,087) represents 24% of the total Ft. Lauderdale UASI grant (\$9,980,000), and will be used to support and strengthen the County's ability to plan for, and respond to, acts of terrorism. The UASI awarded \$698,600 to the County, which will be used to fund fire, health, emergency management, and other approved anti-terrorism activities. The Sheriff's Office received an equivalent award of \$698,600 to fund direct law enforcement activities, and an award of \$985,887 to fund the Regional Security projects. Future funding will be determined based on a competitive need process. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to:

**A) ratify** on behalf of the Palm Beach County Sheriff's Office the Chairperson's signature on the Drug Farm Phase II Enhancement Grant award in the amount of \$50,000 for the period of July 1, 2009, through June 30, 2010; and

**B) approve** a Budget Amendment of \$50,000 increasing the Sheriff's Grant Fund.

**SUMMARY:** The purpose of the program is to assist units of local government to develop and implement residential substance abuse treatment programs in local correctional facilities in which prisoners are incarcerated from a period of time sufficient to permit substance abuse treatment. The Phase II segment of the Sheriff's Drug Farm will benefit from this continued funding by enhancing the treatment parameters to include: Domestic Violence Reduction, Anger and Stress Management, Effective Parenting, and Job Skills Enhancement. The PBSO will exceed the 25% match requirement by providing \$73,720 through its approved operating budget. No additional positions are needed and no County funds are required. Countywide (DW)

3. Staff recommends motion to receive and file: on behalf of the Palm Beach County Sheriff's Office, a Grant Modification amending the State of Florida, Division of Emergency Management Grant, for the Regional Virtual Fusion Center, to extend the ending grant period from March 31, 2009, to December 31, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$32,445 on May 1, 2007; the original period for this grant was July 1, 2006, through January 31, 2008 (R2007-0715). On March 11, 2008, the BCC received and filed an agenda item extending the grant period from January 31, 2008, through September 30, 2008 (R2008-0455). On December 16, 2008, the BCC received and filed an agenda item extending the grant period from September 30, 2008, through March 31, 2009 (R2008-2344). This agenda item will extend the grant period from March 31, 2009, through December 31, 2009. The State of Florida, Division of Emergency Management awarded these funds to the Palm Beach County Sheriff's Office (PBSO) for the Regional Virtual Fusion Center under the State Homeland Security Grant Program. This project is an extension of the PBSO's integration of its local applications supporting countywide, regional and statewide data sharing. PBSO will streamline its operational and intelligence focused systems in web-based architectures to be shared and extended as appropriate to users within the Sheriff's office, to municipal agencies, and within the Florida Department of Law Enforcement Region. These funds have been approved by the State of Florida, Division of Emergency Management. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. There is no match requirement associated with this award. No additional positions are created, and no additional County funds are required. Countywide (DW)

\* \* \* \* \*

**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A.** Certificates of Appreciation to Mary D. Hinton and Sara Ashworth Lankler in recognition of their generous contributions to helping wounded servicemen and their families. (Sponsored by Commissioner Marcus)
  
- B.** Certificate of Appreciation to Dr. Ronald Giddens for 18 years of distinguished service to the Palm Beach County Library Board. (Sponsored by Commissioner Vana)
  
- C.** Proclamation declaring October 16, 2009 as “National Childhood Nutrition Day” in Palm Beach County. (Sponsored by Commissioner Marcus)
  
- D.** Proclamation declaring October 23, 2009 as “Florida Supreme Court Justice Jorge LaBarga Day” in Palm Beach County. (Sponsored by Commissioner Koons)
  
- E.** Proclamation declaring October 9 - 11 and 16 - 18, 2009 as “Oktoberfest” in Palm Beach County. (Sponsored by Commissioner Vana)
  
- F.** Proclamation declaring October 2009 as “Disability Mentoring Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
  
- G.** Proclamation declaring October 15, 2009 as “National Latino AIDS Awareness Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
  
- H.** Proclamation declaring October 22, 2009 as “Lights On After-School Day” in Palm Beach County. (Sponsored by Commissioner Koons)
  
- I.** Proclamation declaring October 10, 2009 as “Put the Brakes on Fatalities Day” in Palm Beach County. (Sponsored by Commissioner Aaronson)
  
- J.** Proclamation declaring October 23, 2009 as “Southeast Florida Regional Climate Leadership Summit Day” in Palm Beach County. (Sponsored by Commissioner Aaronson)
  
- K.** Proclamation declaring October 17, 2009 as “National Wildlife Refuge Day at Arthur R. Marshall Loxahatchee National Wildlife Refuge” in Palm Beach County. (Sponsored by Commissioner Taylor)

\* \* \* \* \*

5. REGULAR AGENDA

A. ADMINISTRATION

1. Update on the H1N1 Virus by Health Department

B. PARKS AND RECREATION

1. Staff recommends motion to approve:

A) an amendment to the previously approved annual permit fee policy for saltwater boat ramp trailer parking to include an advanced purchase daily fee option of \$10 per day; and

B) a revised effective date of January 1, 2010.

**SUMMARY:** On July 7, 2009, the Board approved an annual boat trailer parking fee of \$35 for five (5) County park saltwater boat ramp locations. An advanced purchase daily fee of \$10 is proposed to permit access to those boaters who may infrequently use a County boat ramp and don't desire to purchase an annual parking permit. The same permitting process used for the annual permit can easily accommodate daily permits at no additional cost to the County. These changes will resolve a concern of the Florida Inland Navigation District (FIND) related to equal, non-discriminatory access to FIND funded facilities. Countywide (AH)

C. WATER UTILITIES

1. Staff recommends motion to approve: Purchase Orders with vendors for the Florida Power and Light (FPL) Reclaimed Water Project (Project) in the amount of \$8,064,668.18. **SUMMARY:** The project provides for reclaimed water to become the primary source of cooling water supply to FPL's West County Energy Center (Center) beginning in FY 2011. The project components include the construction of a 27 million gallon per day reclaimed water treatment facility at the East Central Regional Wastewater Reclamation Facility (ECRWF) and a pipeline to deliver the reclaimed water from the ECRWF to the Center. FPL competitively bid the Project components. FPL entered into a construction contract with Wharton-Smith, Inc., for the construction of the reclaimed water treatment facility at the ECRWF and with Garney Companies, Inc. and Felix Associates, LLC, for construction of the reclaimed water pipelines from the ECRWF to the Center. The Contractors selected the vendors for the materials and equipment during the bidding process. The Reclaimed Water Agreement (R2008-0906) with FPL requires the County to procure materials for the construction of the Project. Florida Statute Section 212.08(6) and Florida Administrative Code Rule 12A-1.094 provides for an exemption of sales tax if the purchaser is a governmental entity. By purchasing materials and equipment directly from the vendors listed in the Purchase Orders, total sales tax savings of \$484,105.09 can be achieved. FPL will reimburse the County the total cost of the Purchase Orders. The County Attorney's Office has submitted a Technical Assistance Advisement request to the Florida Department of Revenue to confirm eligibility for sales tax exemption. If the State of Florida determines the project is not eligible for sales tax exemption, then FPL will pay the cost of the sales tax. (WUD Project No. 08-031) Districts 2 & 6 (JM)

5. REGULAR AGENDA

C. WATER UTILITIES (Cont'd)

2. Staff recommends motion to:

**A) approve** a Utility Easement Agreement with Lion's Holding Company LLC., providing compensation in the amount of \$5,000;

**B) approve** a Utility Easement and Temporary Construction Easement from Palm Beach Aggregates Holdings, Inc. (PBA);

**C) approve** a Memorandum of Understanding with the South Florida Water Management District (SFWMD) and Florida Power and Light (FPL);

**D) approve** a Right-of-Way Consent Agreement with FPL;

**E) approve** a Utility Easement and Temporary Construction Easement with FPL; and

**F) adopt** Resolutions declaring the acquisition of property designated as Parcel 100W, 100E, and 101 as permanent utility easements; Parcels 200E, 200W, and 200S as permanent access easements; and Parcels 300W, 300E, and 301 as temporary construction easements, necessary for the construction, installation, and maintenance of a reclaimed water pipeline and related appurtenances, to be a public necessity, and authorizing the employment of appraisers and other experts, and authorizing the filing of eminent domain proceedings.

**SUMMARY:** On May 20, 2008, the Board of County Commissioners (BCC) approved a Reclaimed Water Agreement (R2008-0906) with FPL to supply reclaimed water for the West County Energy Center (Center). Construction of the pipeline to deliver reuse water from the East Central Regional Wastewater Reclamation Facility (ECRWWF) to the Center to requires the acquisition of several utility easements and licenses. Lions Holding Company, LLC is granting a utility easement and a temporary construction easement in return for compensation in the amount of \$5,000. PBA Holdings, Inc. is granting a utility easement and temporary construction easement at no cost. The Memorandum of Understanding with the SFWMD and the FPL includes the granting of a utility easement and temporary construction easement from SFWMD at no cost. FPL is granting the Right-of-Way Consent Agreement, the Utility Easement and the Temporary Construction Easement at no cost. While the Palm Beach County Water Utilities Department may accept standard easements in accordance with its Uniform Policies and Procedures Manual, these easements/licenses contain modifications to the Standard Easement Form and/or require separate agreements between the parties, and are therefore being brought to the Board for approval. Approval of the eminent domain resolutions will authorize the filing of eminent domain proceedings for Parcels 100W, 100E, 101, 200E, 200W, 200S, 300W, 300E, and 301. The permanent utility easements and access easements (Parcels 100W, 100E, 101, 200E, 200S, 200W) are perpetual, while the temporary construction easements (Parcels 300W, 300E, and 301) will expire two (2) years from the date of execution, or upon the final completion of construction, whichever occurs first. (WUD Project No. 08-031) District 6 (MJ)

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6. BOARD APPOINTMENTS

A. **PLANNING, ZONING & BUILDING**  
**(Construction Board of Adjustment & Appeals)**

1. **Staff recommends motion to approve:** the appointment of the following individual to the Construction Board of Adjustment and Appeals (CBAA) for a one (1) year term:

<b><u>Nominee</u></b>	<b><u>Seat</u></b>	<b><u>Requirement</u></b>	<b><u>Term</u></b>	<b><u>Nominated By</u></b>
Peter A. Dzenutis	9 (Alternate)	Roofing Contractor	09/13/09 - 09/12/10	CIMC

**SUMMARY:** Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. The term of office for an alternate is one (1) year. The nomination represents the alternate contractor member of the Board, nominated by the Construction Industry Management Council (CIMC) as required by the Palm Beach County Ordinance 2002-005, as amended, Palm Beach County Amendments to the Florida Building Code, 2007 Edition. The Board is comprised of seven (7) members consisting of one (1) registered architect; one (1) registered engineer; one (1) general contractor; one (1) electrical contractor; one (1) HVAC contractor; one (1) plumbing contractor and any other contractor licensed category. In addition to the seven (7) members, there should be two (2) alternate members, one (1) member with the qualifications referenced above and one (1) member at large from the public. (Building Division) Countywide (DW)

**(Building Code Advisory Board)**

2. **Staff recommends motion to approve:** reappointment of the following individuals to the Building Code Advisory Board (BCAB), for the terms indicated below:

<b><u>Nominee</u></b>	<b><u>Seat</u></b>	<b><u>Requirement</u></b>	<b><u>Term</u></b>	<b><u>Nominated By</u></b>
Rebecca D. Caldwell	5	Building Official	01/02/10 – 01/01/13	BOAPBC
Robert Lecky	1	Building Official	01/02/10 – 01/01/13	BOAPBC

**SUMMARY:** The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The Board is composed of sixteen members; seven (7) regional Building Officials who must be appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven (7) members who must be appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one (1) member who must be a registered Architect appointed from nominees submitted by the Palm Beach County Chapter of the American Institute of Architects; and one (1) member who must be a Professional Engineer appointed from nominees submitted by the Palm Beach County Chapter of the Florida Engineering Society. (Building Division) Countywide (GB)

6. BOARD APPOINTMENTS

A. **PLANNING, ZONING & BUILDING (Cont'd)**  
**(Nuisance Abatement Board)**

3. **Staff recommends motion to approve:** reappointment of the following members to the Nuisance Abatement Board (NAB) for the term indicated below:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Terms</u></b>	<b><u>Nominated by</u></b>
Linda L. O'Rourke	2	PBC Resident	April 10, 2009 - April 9, 2011	Commissioner Marcus Commissioner Koons

**SUMMARY:** The NAB was established under Ordinance number 2002-023 amending Ordinance 90-12. The NAB is composed of five members. All members must be residents of Palm Beach County, and at least one (1) member shall be a licensed Attorney with trial experience. Ms. O'Rourke meets the residency requirements. This will leave two (2) vacancies on the Board. Unincorporated (DW)

B. **AIRPORTS**  
**(Citizens Committee on Airport Noise)**

1. **Staff recommends motion to approve:** appointment of the following individual to the Citizens Committee on Airport Noise (CCAN) for a term of three (3) years, beginning October 6, 2009, to October 5, 2012:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated by</u></b>
David Bjellos	9	Economic Council of Palm Beach County

**SUMMARY:** Per Resolution No. R2002-0544, the Citizens' Committee on Airport Noise consists of 13 seats of which six (6) (Seat No. 8 through Seat No. 13) are recommended for appointment by the organizations approved by the Board of County Commissioners. The Economic Council of Palm Beach County has recommended David Bjellos. Countywide (AH)

6. BOARD APPOINTMENTS

C. **HOUSING & COMMUNITY DEVELOPMENT**  
**(Emergency Shelter Grants Program (ESGP) Advisory Board)**

1. **Staff recommends motion to approve:** appointment/reappointment of the following 11 nominees to the Emergency Shelter Grants Program (ESGP) Advisory Board for a two (2) year term, beginning October 1, 2009, and ending September 30, 2011:

<b><u>Appoint:</u></b> <b><u>Nominees</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Penni Greenly	2	The Homeless Coalition of Palm Beach County
Shawn Wilson	3	The Homeless Coalition of Palm Beach County
Genevieve Cousminer	8	The Homeless Coalition of Palm Beach County
Ken Tuma (Alternate)	9	The Homeless Coalition of Palm Beach County
Monica Kalker Caruso (Alt)	11	The Homeless Coalition of Palm Beach County

<b><u>Reappoint:</u></b> <b><u>Nominees</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Robert Anis	1	The Homeless Coalition of Palm Beach County
Barbara Bell-Spence	4	The Homeless Coalition of Palm Beach County
Stephen Johnson	5	The Homeless Coalition of Palm Beach County
Dorothy Walker	6	The Homeless Coalition of Palm Beach County
Ezra Krieg	7	The Homeless Coalition of Palm Beach County
Sandy Reynolds	10	The Homeless Coalition of Palm Beach County

**SUMMARY:** On September 2, 1997, the Board of County Commissioners adopted and re-established the ESGP Advisory Board. This Resolution was amended on July 2006 by Resolution (R2006-1279) to conform with the Federal regulations which require that at least one (1) Advisory Board member be currently or formerly homeless. The ESGP Advisory Board consists of nine (9) regular and two (2) alternate members nominated by The Homeless Coalition of Palm Beach County, Inc. ESGP Advisory Board members serve at-large for two (2) year terms. The Advisory Board must be comprised of Palm Beach County residents who are non-conflict, meaning that the agencies they are employed by, or are board members of, will not be applying for ESGP funds during their term in office. A request was sent to the Homeless Coalition on July 24, 2009 requesting nominations. Correspondence was received from the Homeless Coalition on August 26, 2009 nominating the above individuals to serve on the ESGP Advisory Board. Countywide (TKF)

6. BOARD APPOINTMENTS

D. **PUBLIC SAFETY**  
**(Emergency Medical Services Advisory Council)**

1. **Staff recommends motion to approve:** the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the terms indicated:

<b><u>Reappoint:</u></b> <b><u>Nominee</u></b>	<b><u>Representing/Seat No.</u></b>	<b><u>Term</u></b>	<b><u>Nominated by:</u></b>
Armand Nault	PBC Council of Firefighters/No. 17	08/15/09-08/14/11	Comm. Santamaria Comm. Koons Comm. Vana Comm. Aaronson
Scott McFarland	PBC Medical Directors Assoc/No. 16	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
Darrel Donatto	PBC Fire Chief's Assoc./No. 1	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
Brooke Liddle	Private Ambulance/No. 3	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
Mark Nosacka	Economic Council of PBC/No. 6	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
John Treanor	EMS Educator/No. 8	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
Gerald Pagano	Health Care District Trauma/No. 4	08/15/09-08/14/11	Comm. Santamaria Comm. Koons

**AND EITHER**

<b><u>Reappoint</u></b> Jeffrey Davis	PBC Medical Society/No. 5	08/15/09-08/14/11	Comm. Santamaria Comm. Koons
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**OR**

<b><u>Appoint</u></b> Catherine Lowe	PBC Medical Society/No. 5	10/06/09-10/05/11	Comm. Taylor
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**SUMMARY:** The EMS Council (R2009-0248) consists of 18 members who include 11 members that represent the various components of the EMS system with specific requirements, and seven (7) Commission District Consumer appointments. A memo was sent to all Board members on August 26, 2009 seeking nominations for the above eight (8) at-large seats. Seat No. 5 has two (2) nominations. Countywide (DW)

E. **COMMISSION DISTRICT APPOINTMENTS**

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OCTOBER 6, 2009

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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**OCTOBER 6, 2009**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**OCTOBER 6, 2009**

**9. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS**

**B. District 2 - COMMISSIONER JEFF KOONS, CHAIRMAN**

**C. District 3 - COMMISSIONER SHELLEY VANA**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS**

Proclamation declaring October 11 – 17, 2009 as “Influenza Vaccination Week” in Palm Beach County.

**E. District 5 - COMMISSIONER BURT AARONSON, VICE CHAIRMAN**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR**

**10. ADJOURNMENT**

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 6, 2009

<u>PAGE</u>	<u>ITEM</u>	
7	3A-1	<b><u>DELETED:</u> Staff recommends motion to approve:</b> grants in a total amount not to exceed \$30,000 for the Handicapped Accessibility and Awareness Program with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2009 through September 30, 2010:...(Admin/OEO) (Moved to October 20, 2009)
26	3I-6*	<b><u>REVISED SUMMARY:</u></b> The Agreement provides In The Pines, Inc., \$3,300,000, in 2005 Disaster Recovery Initiative Program funds for the construction of 20 rental townhouses at 12955 Hagen Ranch Road, <del>in the City of Delray Beach.</del> In The Pines, Inc., has requested a time extension to allow for the demolition of the dilapidated units remaining on the property, completion of the site work, and processing of project closeout documents. <b>These are Federal Community Development Block Grant Funds that require no local match.</b> <u>District 5 (TKF) (HCD)</u>
37	4L	<b><u>ADD-ON:</u></b> Proclamation declaring October 4 – 10, 2009 as “National 4-H Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)
39	5C-3	<b><u>ADD-ON:</u> Staff recommends motion to approve:</b>  <b>A)</b> Amendment No. 1 to the Clean Water State Revolving Fund Construction Loan Agreement No. WW501100 with the Glades Utility Authority (GUA) and the State of Florida Department of Environmental Protection (Department), contingent upon approval by the Department;  <b>B)</b> Amendment No. 1 to the Clean Water State Revolving Fund Construction Loan Agreement No. WW501101 with the GUA and the Department, contingent upon approval by the Department; and  <b>C)</b> Amendment No. 1 to the Clean Water State Revolving Fund Construction (CWSRF) Loan Agreement No. WW501000 with the GUA and the Department, contingent upon approval by the Department.  <b>SUMMARY:</b> On July 7, 2009, the Board of County Commissioners approved the Clean Water State Revolving Fund Construction Loan Agreements No. WW501100 (R2009-1125) and No. WW501101 (R2009-1126) with the City of Pahokee (Pahokee) and the Department, and No. WW501000 (R2009-1127) with the City of South Bay (South Bay) and the Department (collectively, CWSRF Agreements). The CWSRF Agreements are for stimulus funding from the American Recovery and Reinvestment Act of 2009 to fund system improvement projects in Pahokee and South Bay. The Department required the County to execute the CWSRF Agreements due to the County’s covenant to budget and appropriate funds to repay principal and interest should Pahokee and South Bay default on their obligations to repay the loan portions of the CWSRF Agreements. The County’s covenant to budget and appropriate is set forth in the Interlocal Agreements approved by the County on June 2, 2009 with Pahokee (R2009-0950) and South Bay (R2009-0951) (collectively, CWSRF Interlocals). As part of the creation of the GUA, and as contemplated in the CWSRF Interlocals, the CWSRF Agreements are now being transferred to the GUA, and the Department is again requiring the County to execute these Amendments, as the County’s covenant to budget and appropriate survives the transfer of the CWSRF Agreements to the GUA. <u>Countywide (MJ) (WUD)</u>

**ADD-ON: Staff recommends motion to:**

**A) approve** a Budget Amendment of \$700,000 in the Water Utilities Department's Lake Region Renewal and Replacement (R&R) Fund; and

**B) approve** the transfer of the fund balance to the Glades Utility Authority (Authority).

**SUMMARY:** On February 3, 2004, the Board of County Commissioners (BCC) approved interlocal agreements with the Cities of Belle Glade (R2004-0245), Pahokee (R2004-0246) and South Bay (R2004-0247) (Cities) for the design, construction, operation, and maintenance of the Lake Region Water Treatment Plant (LRWTP) to provide potable water to the Cities. When the LRWTP was completed in March 2008, the Cities began purchasing water on a wholesale basis from the County. The commodity fee paid to the County included a 15% R&R component, which was deposited in a separate Lake Region R&R fund and designated in the agreements to be used for the replacement of membrane elements. On June 16, 2009 (R2009-1034), the BCC approved an interlocal agreement establishing the Authority and, on October 1, 2009, ownership of the County's LRWTP was transferred to the Authority. Since the Authority has assumed ownership of the LRWTP, the balance in the Lake Region R&R fund should be transferred to the Authority since it cannot be used for any other purpose. The current balance in the fund is \$603,795.93 and will increase slightly after the final payments from the Cities are received. Countywide (MJ) (WUD)

**ADD-ON: Staff recommends motion to approve:** Payment to Arthur J. Gallagher Risk Management Services, Inc. in the amount of \$197,441.69 for the purchase of insurance for the Glades Utility Authority (Authority) for the period October 1, 2009, to October 1, 2010, the cost of which will be charged back to the Authority. **SUMMARY:** In accordance with the Operating Agreement (R2009-1345) approved by the Board of County Commissioners on August 18, 2009, the Water Utilities Department (Department) is responsible for the day-to-day operations of the Authority. Authority operating costs are included in the Department's 2010 budget, and Authority costs will be charged back monthly to the Authority. The Department has worked with the County's Risk Management Department and the County's insurance broker to obtain the necessary insurance for the GUA. The amount to be paid is significantly under the budgeted amount of \$397,000, indicating that the economies of scale expected from the establishment of the GUA are being realized. The insurance being purchased includes property, general liability, commercial auto, public entity liability, crime, and fuel tank liability. Countywide (MJ) (WUD)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).